

NEW HAMPSHIRE EXECUTIVE BRANCH

ETHICS COMMITTEE

**OFFICE OF THE ATTORNEY GENERAL
ROOM 302**

**March 21, 2007
8:00 AM**

Meeting called to order by Chair David Nixon.

Present: John Barthelmes, John Blair, Dale Kuehne, David Nixon, Douglas O'Brien, and Patricia Quigley.

Absent: Deborah Schachter

Also Present: New Hampshire Deputy Attorney General, Bud Fitch

- The minutes of the March 7, 2007 meeting were reviewed and approved.
- Advisory Opinions 2007-001, 2007-002, 2007-003, 2007-004, 2007-005, 2007-006 and 2007-007 were signed by John Barthelmes and Dale Kuehne. Copies will now be provided to the Governor's office, the State Library, the Legislative Ethics Committee and the New Hampshire Bar Association. They will also be posted on the website and Bud Fitch will prepare a press release directing readers to the website.
- The following opinions were reviewed:

Draft Advisory Opinion 2007-008:

May a Board of Commission member receive compensation for teaching seminars that persons subject to the regulation of the Board or Commission are required to attend?

A motion was made and seconded to accept Advisory Opinion 2007-008. Bud Fitch will do some further research on the definition of "recusals" and will bring this back to the committee at the April 4 meeting along with editorial corrections.

Draft Advisory Opinion 2007-009:

May a State employee attend a private small celebratory event sponsored by a private corporation, held to recognize private-public collaboration that lead to the adoption of a law?

A motion was made and seconded to accept Advisory Opinion 2007-009. Bud Fitch will make minor corrections and bring this back to the committee at the April 4 meeting.

- A subcommittee was formed to review the following Draft Advisory Opinions:

Draft Advisory Opinion 2007-010

A family member of a State employee serves on the boards of a non-profit corporation regulated by the department that employs the State employee. The employee and his or her family are active in raising funds for the non-profit. The policy of the department has been that the employee-family member recuses himself or herself from participation in matter that relate to the non-profit corporation. Do recusals satisfy the requirements of the ethics law?

Draft Advisory Opinion 2007-011

May an employee of a Department that regulates nonprofit corporations serve on the board of a regulated nonprofit?

May an employee of a Department that regulates charitable nonprofit corporations serve on the board of a regulated charitable nonprofit?

May an employee of a Department that regulates non-profit corporations make personal financial contributions to a regulated non-profit?

May an employee of a Department that regulates charitable non-profit corporations make personal financial contributions to a regulated charitable non-profit?

May an employee of a Department that regulates non-profit corporations solicit contributions or otherwise seek funds for a regulated non-profit?

May an employee of a Department that regulates charitable non-profit corporations solicit contributions or otherwise seek funds for a regulated charitable non-profit?

Draft Advisory Opinion 2007-012

May an employee of a Department that regulates nonprofit corporations also hold part-time employment with a regulated nonprofit?

May an employee of a Department that regulates charitable nonprofit corporations also hold part-time employment with a regulated charitable nonprofit?

The subcommittee consists of Dale Kuehne, as Chair, Patricia Quigley, John Blair and Douglas O'Brien. The committee will review these draft opinions and be prepared for a discussion at the April 4 meeting.

- Discussion was held on changes to the letterhead for the Executive Ethics Committee. Bud Fitch will make the suggested revisions to the letterhead and bring it to the April 4 meeting.
- Further revisions were made to the Complaint form and Bud Fitch will make those changes and bring it back for review by the committee at the April 4 meeting.
- Bud Fitch passed out various brochures he obtained from the State of Illinois and suggested that perhaps the Executive Ethics Committee may wish to produce something similar in the future.
- Chairman David Nixon informed the committee that a letter was going out to the Legislative Ethics Committee inviting them to attend a joint meeting with the Executive Ethics Committee sometime in April.
- There was discussion regarding changing the meeting dates of the committee from the first and third Wednesdays of the month to a once monthly meeting of two hours. It was agreed that the meetings on the first and third Wednesday of April would stay in place and the switchover to monthly meetings would begin with the May 2 meeting. A motion was made and seconded to change the meeting dates to the first Wednesday of the month beginning in May of 2007.
- There were no new complaints submitted to the committee.

- Meeting adjourned at 9:10 a.m.

Respectfully Submitted

Patricia C. Booher

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Recording Secretary

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